



Coffman Opposes Medical Records Database

Published 10-26-2011

U.S. Rep. Mike Coffman, R-CO, today called on the Department of Health and Human Services (HHS) to halt an Obama administration plan to collect confidential patient information into a single government database. Coffman sent a strongly worded letter to HHS Secretary Kathleen Sebelius regarding a proposed rule under the Patient Protection and Affordable Care Act that would force private health insurers to hand over confidential patient data to the government in an attempt to create a national database of patient claims.

"I have strong reservations with this proposed rule and the options for data collection under risk adjustment, which would allow federal bureaucrats access to the health data of every American that is personal and sensitive in nature," Coffman said in the letter. "When the former Speaker of the House, Nancy Pelosi, said that '...we have to pass the bill so that you can find out what is in it...', she couldn't have been more correct when it comes to violating the privacy rights of Americans."

According to Coffman, the federal government has had data breaches in the past compromising sensitive information on millions of Americans. He believes that Americans should have every reason to worry about a mass government database containing their sensitive personal medical information and that HHS will not be able to handle such large amounts of data and keep it secret.

"Given the poor track record by the federal government in holding personal data on Americans, it makes no sense to allow it to collect medical records on individuals in a government data base," Coffman said in the letter. "The highly sensitive and personal health information could be abused for personal or political gain by a rogue bureaucrat or the security of the system could be breached by a computer hacker or by an inadvertent accident."

Coffman said he hopes his letter will increase the mounting pressure on the Department of Health and Human Services to back off its goal of moving forward with this proposed rule.

“It is my hope the Department of Health and Human Services recognizes the real dangers of data collection and rejects this proposed rule. If this rule moves forward, Coffman said he is prepared to work with other Members of Congress to defund the database.

Please see below for text of the letter or [click here for a PDF](#) .

October 26, 2011

Honorable Kathleen Sebelius
Secretary, Department of Health and Human Services
Hubert H. Humphrey Building
200 Independence Avenue S.W.
Washington, D.C. 20201

Dear Secretary Sebelius:

I write today to inform you that I have submitted the following as formal comments to the proposed rule for Standards Related to Reinsurance, Risk Corridors and Risk Adjustment, which appeared in the Federal Register, Volume 76, No.136, pages 41930-41956. I appreciate you extending the comment period for this proposed rule to October 31, 2011, to allow interested parties to voice their opinions on this very important issue.

I have strong reservations with this proposed rule and the options for data collection under risk adjustment, which would allow federal bureaucrats access to the health data of every American that is personal and sensitive in nature.

When the former Speaker of the House, Nancy Pelosi, said that “...we have to pass the bill so that you can find out what is in it...,” she couldn’t have been more correct when it comes to violating the privacy rights of Americans.

This proposed rule for “Standards Related to Reinsurance, Risk Corridors and Risk Adjustment,” contained in the new Patient Protection and Affordable Care Act, requires the adoption of a rule for insurance carriers to turn over their medical records to the federal government. This provision in President Obama’s new health care law is an extraordinary overreach of federal power that will violate the privacy rights of every insured American. This rule must be suspended in favor of protecting the right to privacy.

Given the poor track record by the federal government in holding personal data on Americans, it makes no sense to allow them to collect the medical records on individuals in a government

data base. The highly sensitive and personal health information could be abused for personal or political gain by a rouge bureaucrat or the security of the system could be breached by a computer hacker or by an inadvertent accident.

When a private entity, such as an insurance carrier, accidentally or maliciously releases personal data concerning an individual's medical records, the individual has the recourse of seeking civil damages and switching carriers. However, when government is the cause of the problem the individual is powerless.

It is my hope the Department of Health and Human Services recognizes the real dangers such data collection efforts pose, and rejects this proposed rule. If this rule moves forward, I, and fellow members of Congress are prepared to fight its adoption through funding restrictions. It is my sincerest wish that such an action will not be necessary, and I am open to speak to you on this matter at your convenience. I can be reached at 202-225-7882.

Sincerely,

Mike Coffman
Member of Congress

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